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EXAMINER

TRAN, PHUC H

ART UNIT PAPER NUMBER

2666

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/972,761

Applicant(s)

TOYOSHIMA, AKIHIKO

Examiner

PHUC H. TRAN

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-24 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/20/04, 3/15/05
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, & 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Henry, Jr. et al. (U.S. Patent No. 5603084).

- With respect to claim 1, Henry, Jr. teaches a method for activation of a wireless module, said method comprising:

providing the wireless module with initialization data (block 50 in Fig. 3);

establishing a wireless module account with an activation center (block 80 in Fig. 5);

transmitting operational data to the wireless module from said activation center (block 64 in Fig. 4) and storing said operational data (col. 5, lines 33-36).

- With respect to claim 3, Henry, Jr. further comprises transmitting said initialization data from the wireless module to said activation center (block 50 in Fig. 3).

- With respect to claim 4, Henry, Jr. teaches wherein transmitting said initialization data comprises: connecting the wireless module to a peripheral device (e.g. the mobile unit); and establishing an electronic data connection between the wireless module and said activation center (block 66 in Fig. 4).

- With respect to claim 5, Henry, Jr. also teaches wherein establishing a wireless module account comprises: supplying a user's personal information to said activation center (block 52 in

Art Unit: 2666

Fig. 3); and storing said user's personal information and said initialization data to said wireless module account (block 54 in Fig. 3).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 11-12 & 16-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Burgaleta Salinas et al. (U.S. Patent No. 6469998 B1).

- With respect to claim 11, Burgaleta Salinas teaches a system for activation of a wireless module, said system comprising:

a peripheral unit electrically connected to the wireless module (block 10 in Fig. 1), the wireless module configured to transmit initialization data and receive operational data (col. 8, lines 57-60); and

a user activation web site in electronic data communication with the wireless module and said peripheral unit (e.g. link between laptop and mobile), said user activation web site configured to receive said initialization data and transmit said operational data (block 106 in Fig. 4).

- With respect to claim 12, Burgaleta Salinas further comprises a base station in electronic data communication with the wireless module and said user activation web site, said base station configured to receive and transmit said initialization data and said operational data (e.g. the base station in Fig. 2, blocks 32 and 16).

- With respect to claim 16, Burgaleta Salinas A wireless module activation server comprising at least one user activation web site configured to receive initialization data and transmit operational data (col. 10, lines 48-50).

- With respect to claim 17, Burgaleta Salinas teaches wherein said user activation web site is configured to activate and deactivate a wireless module (e.g. link between laptop and wireless module).

- With respect to claims 18-19, Burgaleta Salinas discloses wherein said user activation web site is configured to be in data communication with a wireless module configured to store said initialization data (col. 12, lines 43-46).

- With respect to claim 20, Burgaleta Salinas teaches wherein said user activation web site is in electronic data communication with at least one wireless module account (e.g. the laptop communication with IP network through the mobile in Fig. 2).

- With respect to claim 21, Burgaleta teaches a wireless module comprising an electronic serial number (e.g. Fig. 1 shows the wireless module 16 with a identification number of it own),

said wireless module configured to be removably connected to at least one peripheral device (e.g. the wireless 16 connected to laptop 12).

- With respect to claim 22, Burgaleta further comprises a preliminary internet protocol address (col. 5, lines 29-31).

- With respect to claim 23, Burgaleta further comprises a permanent internet protocol address (e.g. Fig. 8).

- With respect to claim 24, Burgaleta teaches wherein said electronic serial number is stored within said removably connected peripheral device (col. 12, lines 43-46).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 6-7, 9-10 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henry, Jr. et al. (U.S. Patent No. 5603084) in view of Nordman (U.S. Patent No. 6061346).

- With respect to claims 2, and 13, Henry, Jr. discloses all the aspect of the claimed invention as set forth above but fails to teach wherein providing the wireless module with initialization data comprises providing the wireless module with a preliminary internet protocol address. Nordman teaches the wireless module with IP address (col. 4, lines 20-22). The method of providing the wireless module with a preliminary IP address of Nordman can be implemented into Henry, Jr. at the activation center for communication between wireless module

with IP. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to implement the method of dynamically-allocated IP address to the wireless module for mobile access to IP network.

- With respect to claims 6-7, 9-10, & 14-15, Henry, Jr. discloses all the aspect of the claimed invention as set forth above but also fails to teach wherein transmitting operational data comprises transmitting, storing a permanent internet protocol address. Nordman also teaches the transmitting and storing a IP address (col. 6, lines 12-20) for communication between wireless module and IP network. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to implement the steps of transmitting and storing a IP address for communication between the wireless module and IP network.

#### ***Allowable Subject Matter***

7. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Linden et al. (U.S. Patent No. 6549773) discloses method for utilizing local resource in a communication system.

Art Unit: 2666

- Hsu (U.S. Patent No. 6374079 B1) discloses modular RF communication module for automated home and vehicle systems.

- (U.S. Patent No. ) discloses

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUC H. TRAN whose telephone number is (571) 272-3172. The examiner can normally be reached on M-F (8-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAO SEEMA can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuc Tran  
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Art Unit 2664

P.t  
6/21/05



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